

Monsanto

LAW DEPARTMENT

Monsanto Company
800 N. Lindbergh Boulevard
St. Louis, Missouri 63167
Phone: (314) 694-1000

October 17, 1994

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Marsha A. Adams
5 HMS-5J, Responsible Party
Search Section
U.S. Environmental Protection
Agency, Region V
77 W. Jackson Blvd.
Chicago, IL 60604-3590

Re: Sauget Area I
Sauget, IL

Dear Ms. Adams:

Monsanto Company (Monsanto) hereby responds to the U.S. Environmental Protection Agency (EPA) Request for Information pursuant to Section 104(e) of CERCLA for the Sauget Area I in Sauget, Illinois, dated July 13, 1994. (See Exhibit 1.) Monsanto received the Information Request on July 18, 1994 and, by letter dated July 28, 1994 (see Exhibit 2.1), made arrangements for an initial response on several specified subject areas to be followed by this submission. On August 24, 1994, Monsanto submitted its initial response. (See Exhibit 2.2.)

In response to the EPA's Request for Information, we disagree with EPA's overly broad assumption of authority which it asserts as conferred by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) 42 USC § 9601, et. seq. Monsanto also objects to the overly broad scope of the questions included within EPA's Request for Information and to the unreasonable time period covered dating back almost a century. Other objections and privileges, both general and specific, are noted in Monsanto's response.

However, consistent with Monsanto's policy of cooperation with government agencies, we are responding to the non-objectionable, non-privileged portions of EPA's Request for Information. At the same time, we reserve all objections and defenses as to EPA's statement of authority or the scope of information as requested.

(See Exhibit 3.0: "Monsanto's Response to Request for Information Concerning Sauget Area I, Sauget, Illinois.")

Monsanto hereby asserts a business confidentiality claim covering the information contained in Exhibit 3.0, as attached hereto, pursuant to 40 C.F.R. Part 2, Subpart B. The cover sheets for Exhibit 3.0 are therefore marked in accordance with 40 CFR § 2.203(b).

Given the extensive scope of information as requested, Monsanto also reserves the right to amend and/or supplement this response as appropriate in the future. Specifically, it must be noted that the attached Response does not attempt to duplicate the information supplied in the documentation as previously produced by Monsanto for EPA's inspection from the litigation in Cerro Copper Products Company v. Monsanto Company and Monsanto Chemical Company, Docket No. 92-CV-204-WDS (USDC SD IL). Accordingly, those documents, as produced, and the attached response must be considered in conjunction with one another.

If you have any questions concerning Monsanto's position in this matter, please contact the undersigned at 314/694-1278.

Very truly yours,


Stephen P. Krchma
Environmental Counsel

Attach.

cc: By Mail

Thomas J. Martin
Assistant Regional Counsel
U.S. EPA Region V (w/o Attach.)